

EXHIBIT A

Date	Title/Subject	Summary	Rationale for De-Designation
6/28/2013	RE: Guide (abridged) - DWH edits	Email chain between Augustine employee, David Hodges, Gabriel Assad, and Randy Benham discussing Bair Hugger litigation guide, including placement of the Kennedy Hodges logo and how to direct recipients to particular portions of website.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
N/A	Bair Hugger Warming and Peri-Prosthetic Infections in Joint Replacement Surgery: <u>A Guide to Product Liability Litigation</u>	Litigation guide designed to provide a "roadmap of evidence" to encourage plaintiffs' attorneys to pursue litigation against 3M and the Bair Hugger system.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
6/28/2013	Guide (abridged) - DWH edits	Email chain between Augustine employee, Randy Benham and Gabriel Assad discussing litigation guide and confirming it was written by Augustine and Benham.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to</p>

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			<p>third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
3/4/2014	Status	<p>Email chain between David Hodges and Randy Benham discussing press release regarding one of the early Bair Hugger lawsuits, and whether the press release should be issued by Kennedy Hodges or Augustine.</p>	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
3/18/2013	Timing	<p>Email chain between Gabriel Assad and Randy Benham discussing early Bair Hugger litigation and how to maximize publicity surrounding it.</p>	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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2/1/2013	Thanks	Email chain between Augustine, David Hodges and Randy Benham discussing meeting between Hodges, Benham and Augustine, Augustine's offer of assistance with Bair Hugger litigation, and Hodges' agreement to "tap" Augustine "as a valuable resource moving forward."	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
4/8/2013	Website	Email chain between David Hodges, Randy Benham and Augustine discussing launch of Bair Hugger litigation website.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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4/29/2013	Re: Guide	Email chain between Augustine, Benham, and Hodges discussing litigation guide prepared by Augustine and Benham and whether Kennedy Hodges wants to be “the author.”	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation.</p>
4/30/2013	RE: Guide	Email chain between Augustine, Benham, and Hodges discussing litigation guide prepared by Augustine and Benham and whether Kennedy Hodges wants to be “the author.”	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation</p>

Date	Title/Subject	Summary	Rationale for De-Designation
5/1/2013	RE: Guide	Email chain between Augustine, Benham, and Hodges discussing litigation guide prepared by Augustine and Benham and whether Kennedy Hodges wants to be “the author.”	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation.</p>
5/15/2013	RE: Guide	Email chain between Augustine, Benham, Hodges and Assad discussing litigation guide and whether/how to “sanitize” it to distance Augustine from it.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation.</p>

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5/21/2013	RE: Guide	Email chain between Augustine, Benham and Hodges discussing litigation guide and removal of references to Augustine and Augustine Temperature Management.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
5/22/2013	RE: Hodges letter	Email chain between Augustine, Benham, Hodges and Assad discussing dissemination of litigation guide and establishment of dedicated email account to which responses will be directed.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
6/7/2013	RE: Guide	Email chain Augustine, Benham, Brent Augustine, and Assad discussing litigation guide and getting it to "as many Pl. attorneys as possible as quickly as possible."	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p>

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12/3/2013	Tim Johnson	Email chain between Hodges, Benham, Assad and Augustine discussing early Bair Hugger lawsuit and Augustine's review of the relevant medical records.	De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.
		This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.	De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.
2/6/2014	Rosie--Discovery Rule	Email chain between Benham, Assad, Hodges and Augustine discussing early Bair Hugger lawsuit referred to Hodges by Benham and Augustine, and fact that Benham could be a fact witness.	This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.
			De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.

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5/28/2014	***SPAM*** RE: RE: Research for review by potential experts	Email chain between Hodges, Benham and Assad discussing information sent by Benham, at Hodges' request, for review by potential experts in early Bair Hugger lawsuit.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
6/26/2013	FW: (Exclusive) Story for you-Suit against Arizant (division of 3M) for Medical Device Error	Email chain between Hodges Benham, Bianca Bucaram and ABC news pitching story to ABC about Bair Hugger litigation.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
6/27/2013	Hodges letter-revised 6-06-13	Email (and attachment) from Hodges to Benham discussing revisions to a cover letter regarding Bair Hugger litigation to accompany the litigation guide.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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5/21/2013	Hodges letter	Email (and attachment) from Hodges to Benham discussing cover letter regarding Bair Hugger litigation to accompany the litigation guide.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
7/18/2013	3M Product Alleged to Cause Surgical Infections	Litigation guide prepared for and disseminated to potential plaintiffs' attorneys to encourage litigation against 3M.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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7/23/2013	RE: 30-sec video	Email chain between Assad and Benham discussing video regarding Bair Hugger litigation.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by sharing the video publicly.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
6/9/2014	RE: Attorney response No. 6-- The end	Email chain between Hodges, Benham, and L. Cohn, discussing response to litigation guide from Cohn in which he expresses skepticism regarding the claim that he Bair Hugger increases risk of infection; also demonstrates that Benham was sending emails on Hodges' behalf from an account controlled by Benham and Augustine.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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6/7/2013	RE: Guide	Email chain between Augustine, Benham, Hodges, Assad and Brent Augustine, discussing litigation guide and fact that Augustine and Benham “are chomping at the bit” to have the guide sent.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation.</p>
5/22/2013	RE: Hodges letter	Email chain between Benham, Augustine, Hodges and Assad discussing dissemination of litigation guide and establishing an email account to which responses would be sent.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine’s denial of and/or failure to disclose his involvement in this litigation.</p>

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7/2/2013	RE: New article	Email chain between Benham, Hodges and Assad discussing pre-publication galley of a new article regarding contamination inside the Bair Hugger blowers to be published in the August issue of AANA Journal; also discusses responses to litigation guide being monitored by Benham and Augustine.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
7/3/2013	Re: Open issues	Email chain between Benham and Hodges discussing whether a video is complete and can be published by Benham on YouTube using the Kennedy Hodges email address; also discussing potential webinar and the AAJ conference in San Francisco.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by making video publicly available.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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7/2/2013	RE: Samuel Davis	Email chain between Benham, Hodges and Augustine employee, discussing email received from attorney S. Davis asking how to separate Bair Hugger related infections from others.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
9/12/2014	RE: Treater depositions	Email chain between Benham, Hodges and Assad discussing depositions in early Bair Hugger lawsuit and request by Hodges for Augustine and Benham to educate Kennedy Hodges on helpful literature and send the materials they believe to be the most helpful.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
7/11/2013	FW: Wall email	Email chain between Benham, Hodges, Assad and an Augustine employee discussing various responses to litigation guide, and how to respond to inquiries. .	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by discussing with and disseminating the litigation guide to third parties.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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5/12/2014	RE: Walton v. 3M	Email chain between Benham, Hodges and Assad discussing detailed summary provided by Benham regarding Arizant witness' knowledge and roles in the litigation, a timeline regarding what Arizant/3M knew, a 3M email assuring customers that Bair Hugger is safe, and a summary of Arizant's responses to research.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
8/25/2015	Walton v. 3M et al. - Response to Motion to Compel re Augustine	Email between D. Green and Benham regarding deadline to respond to motion to compel relating to Augustine, and acknowledgement that Kennedy Hodges will monitor filings and keep Benham informed.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation, including the fact that Kennedy Hodges advised Benham and Augustine on filings in the litigation.</p>
8/12/2012	Re: Warning Letter CPT1200003 (AUGUSTINE_0011853 - AUGUSTINE_0011866; also marked AUGUSTINES_0000001- AUGUSTINES_0000014)	Letter from Augustine responding to the FDA's public July 24, 2012 Warning Letter (which states that Augustine was misbranding and improperly marketing his HotDog product); Augustine devotes most of his response to criticism of the Bair Hugger.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>

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12/10/2012	(AUGUSTINES_0000015-AUGUSTINES_0000016)	FDA response to letter referenced above, stating that his firm "continues to make inappropriate claims with respect to the use of the HotDog Patient Warming System and/or the Bair Hugger Patient Warming System. The evidence provided in support of such clinical claims does not satisfy the requirement for a premarket submission or provide conclusive evidence of a causal relationship between the used of forced air warming and higher infection rates."	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
12/20/2012	Re: CMS 311738 (AUGUSTINE_0011869-AUGUSTINE_0011873; also marked as AUGUSTINES_0000017-AUGUSTINES_0000021)	Additional correspondence between Augustine and the FDA in which Augustine continues to criticize the Bair Hugger system and urges the FDA to take action.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
3/13/2012	Re: Warning Letter #311738 (AUGUSTINE_0011874 - AUGUSTINE_0011878; also marked as AUGUSTINES_0000022-AUGUSTINES_0000026)	Email exchange between Augustine and Damia Jackson (FDA) regarding meeting to discuss the FDA's public July 24, 2012 Warning Letter and request by Augustine for Jackson to present information on research against the Bair Hugger warming system.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p>
	Photos, videos and documents produced in response to RFP 11 (AUGUSTINES_0000071-0000491; includes but is not	Photos, videos and documents produced in response to Defendants' request for production 11 which sought " [a]ny and all documents, data, photographs, or video relating to the production of	This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.

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	limited to photos marked as Exhibits 37-50 at Dr. Augustine's deposition)	any videos posted to http://heatsrises.blogspot.com that claim to show disruption of operating room airflow by forced-air warming, including footage taken but not posted online, documentation regarding the test protocols, documentation regarding all aspects of the ventilation system of the operating room and its performance, and documentation regarding the forced air warming blower and blankets used and any adjustments made to the devices."	<p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p> <p>Augustine testified that his "motivation" for the experiments he performed in the smoke and laser videos was "public health and safety", that the experiments he performed in the smoke and laser videos were "really important to public safety." He also agreed that "transparency" is required for the important concept in good science of replicability of experiments, and in order to replicate experiments, one needs to be transparent about the details of the study.</p>
9/14/2007	Augustine BioMedical + Design Research & Development Report (AUGUSTINE_0001577 - AUGUSTINE_0001588; marked as Exhibit 6 at Dr. Augustine's deposition)	<p>Research and Development report, showing that Augustine Biomedical + Design attempted but failed to capture bacteria from the Bair Hugger system.</p>	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p> <p>Augustine testified that the research was done in the interest of public safety and health, and that "transparency" is necessary for good science.</p>

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10/12/2007	Augustine BioMedical + Design Research & Development Report (AUGUSTINE_0002036-0002044; marked as Exhibit 7 at Dr. Augustine's deposition)	Research and Development report, showing that Augustine Biomedical + Design attempted but failed to capture bacteria from the Bair Hugger system.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p> <p>Augustine testified that the research was done in the interest of public safety and health, and that "transparency" is necessary for good science.</p>
4/4/2008	Augustine BioMedical + Design Research & Development Report (AUGUSTINE_0033068-0033096; marked as Exhibit 8 at Dr. Augustine's deposition)	Research and Development report, showing that Augustine Biomedical + Design attempted but failed to capture bacteria from the Bair Hugger system.	<p>This document does not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public, including Augustine's denial of and/or failure to disclose his involvement in this litigation.</p> <p>Augustine testified that the research was done in the interest of public safety and health, and that "transparency" is necessary for good science.</p>
	All email blasts from Stop Surgical Infections (SSI) and Orthopedic Infection Advisory (OIA) (see e.g., AUGUSTINES_0000515 - AUGUSTINES_000516; AUGUSTINES_0000522 - AUGUSTINES_0000525)	Email blasts from websites sponsored and/or controlled by Augustine, including all blasts which falsely claim that the Bair Hugger is subject to a silent recall.	<p>These documents do not meet the definition of confidential information set forth in the Protective Order, and Augustine has not identified any good faith justification for treating the document as confidential.</p> <p>Augustine waived any claim of confidentiality by sending the email blasts to third parties</p> <p>De-designation is in the public interest because the</p>

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			document provides more accurate, complete context to information already disseminated to the public, and enables 3M to correct false information spread by Augustine.